

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, December 13, 2010

CASE NUMBER: C15-2010-0134

☐ Y ☐ Jeff Jack 2nd the Motion
☐ Y ☐ Michael Von Ohlen *Melissa Hawthorne*
☐ Y ☐ Nora Salinas
☐ Y ☐ Bryan King
☐ Y ☐ Leane Heldenfels, Chairman
☐ Y ☐ Clarke Hammond, Vice Chairman **Motion to PP to Feb 14, 2011**
☐ Y ☐ Heidi Goebel

APPLICANT: Jim Bennett

OWNER: Fred Purcell

ADDRESS: 12912 PARK DR

VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.46 feet along the west property line in order to maintain a garage for a single-family residence in an "SF-2", Single-Family Residence zoning district.

The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 10.3 feet in order to maintain a carport for a single-family residence in an "SF-2", Single-Family Residence zoning district.

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 3.9 feet along the east property line in order to maintain a carport for a single-family residence in an "SF-2", Single-Family Residence zoning district.

The applicant has requested a variance to decrease the minimum side yard setback requirement of Section 25-2-492 (D) from 5 feet to 4.9 feet along the west property line in order to maintain a single-family residence in an "SF-2", Single-Family Residence zoning district.

The applicant has requested a variance to decrease the side yard setback requirement of Section 25-2-492 (D) from 5 to 0 feet along the east and west property line in order to maintain a swimming pool, deck and stairs for a single-family residence in an "SF-2", Single-Family Residence zoning district.

The applicant has requested a variance to increase the maximum fence height requirement of Section 25-2-899 (D) from 6 feet to 8 ½ feet along the east and

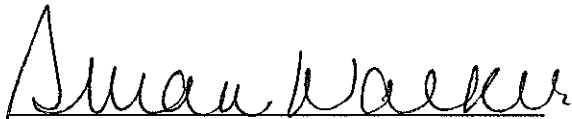
west property lines in order to maintain a solid fence for a single-family residence in an "SF-2", Single-Family Residence zoning district.

BOARD'S DECISION: POSTPONED to February 14, 2011 (for additional information, show permit of what was built, topographic map, calculations of impervious coverage); Board member Clarke Hammond motioned, Board member Jeff Jack seconded; Vote 7-0; POSTPONED TO February 14, 2011

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:



Susan Walker
Executive Liaison



Leane Heldenfels
Chairman

Subj: **Park Dr.**
Date: 12/14/2010 12:39:41 P.M. Central Standard Time
From: Fredapurcell@aol.com
To: snyderp@mac.com, dr.snyder@mac.com
CC: rsuttle@abaustin.com

Patty, Bill: If you are willing, I would like to sit down with you and listen to your thoughts on how to resolve matters affecting my home and your land. Patty, if you haven't gone back to Scottsdale, yet, I would be happy for you to come to our home or meet somewhere to discuss this. My telephone number is 512-784-4920. Thanks for your consideration. Fred.

Subj: **12912 Park**
Date: 12/27/2010 12:09:41 P.M. Central Standard Time
From: Fredapurcell@aol.com
To: snyderp@mac.com, dr.snyder@mac.com
CC: rsuttle@abaustin.com

Bill, Patty: I hope you had a merry Christmas. I can come to Scottsdale to meet with you concerning the variances on my home later this week or over the weekend if you so desire. Thanks, Fred.

Subj: **Re: 12912 Park**
Date: 12/27/2010 1:48:34 P.M. Central Standard Time
From: dr.snyder@mac.com
To: Fredapurcell@aol.com
CC: snyderp@me.com

Usually that would be a fine idea, however I'm at tpc Vegas and patty at sawgrass , then next week Utah, after that not sure.....

Patty was pretty disappointed the way the issues were characterized by your side, so I think that pretty much poisoned the well, but I'll ask her

Happy nu year

Sent from my iPhone

On Dec 27, 2010, at 10:09 AM, Fredapurcell@aol.com wrote:

Bill, Patty: I hope you had a merry Christmas. I can come to Scottsdale to meet with you concerning the variances on my home later this week or over the weekend if you so desire.
Thanks, Fred.

Subj: **Re: 12912 Park**
Date: 12/27/2010 4:23:50 P.M. Central Standard Time
From: Fredapurcell@aol.com
To: dr.snyder@mac.com
CC: snyderp@mac.com, rsuttle@abaustin.com

I understand. Yes, there was a question as to whether I had a permit to build my swimming pool; I responded that I did to which she didn't agree. I believe we still have copies of the permits for the pool and garage which I will copy you with. Happy new year to you and if there is a change of mind, please let me know. Fred.

In a message dated 12/27/2010 1:48:34 P.M. Central Standard Time, dr.snyder@mac.com writes:

Usually that would be a fine idea, however I'm at tpc Vegas and patty at sawgrass , then next week Utah, after that not sure.....

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1) CO

2) County permit

3) Home

4) Piers

5) Garage

6) Swimming Pool

7) Waterwater plant

PERMITS

City of Austin

BUILDING PERMIT



PERMIT NO: 2008-063194-BP

Type: RESIDENTIAL Status: Active

12912 PARK DR

Issue Date: 08/11/2008

Expiry Date: 02/07/2009

LEGAL DESCRIPTION				SITE APPROVAL		ZONING sf2		GRID NO. MB33	
PROPOSED OCCUPANCY "life safety Certificate of Occupancy for New Three Story Res W/Att Covered Patio (based on original application it is a 1sty with a basement no indication that it was a 3 sty structure!)"					WORK PERMITTED Remodel			ISSUED BY Gabriel Guerrero Jr	
TOTAL SQFT Remodel: 6,473		VALUATION Tot Val Rem: \$100.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 1	UNITS 1	# OF PARKING SPACES
TOTAL BLDG. COVERAGE		% COVERAGE		TOTAL IMPERVIOUS COVERAGE			% COVERAGE		

Contact

Applicant, Fred Purcell
Owner, Fred Purcell
General Contractor, Fred Purcell

Telephone

0 -
0 -
0 -

Fee Description

Building Permit Fee

Fee Amount

\$23.00

Paid Date

08/11/2008

Total Fees:

\$23.00

Inspection Requirements

Building Inspection

Section 25-11-94 EXPIRATION AND EXTENSION OF PERMIT (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection performed.)

See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Date

User

last week an agreement was reached in the office of the assistant city manger Sue Edwards for additional information please contact Sue or Terry Irion (letter attached) I Left a message with Marie Sandoval for confirmation of the conversation.

Residential Zoning Review

08/11/2008

Residential Zoning Reviewers

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

BUILDING PERMIT

PERMIT NO: 2008-063194-BP

Type: RESIDENTIAL Status: Active

12912 PARK DR

Issue Date: 08/11/2008

Expiry Date: 02/07/2009

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TOTAL BLDG. COVERAGE		% COVERAGE		TOTAL IMPERVIOUS COVERAGE				% COVERAGE	

Type	Date	Status	Comments	Inspector
101 Building Layout		Open		Bob Bulkley
102 Foundation		Open		Bob Bulkley
103 Framing		Open		Bob Bulkley
104 Insulation		Open		Bob Bulkley
105 Wallboard		Open		Bob Bulkley
111 Energy Final		Open		Bob Bulkley
112 Final Building		Open		Bob Bulkley

Pin # 5006699.

5006699

panek.oglesby@
ci.austin.tx.us



NOTICE OF CLASS "A"
TRAVIS COUNTY BASIC DEVELOPMENT PERMIT

This Permit No. 03-2288 is issued on 4/7/2004 and is effective immediately.

This Permit is Issued to JEFF SAIKIN
and is not transferrable.

This Permit authorizes the permittee to construct development in accordance with the requirements of Travis County Flood Plain Managements Regulation on the following described property

LOT 77 BLOCK A HUGHES PARK LAKE SUBD 1
12912 PARK DRIVE

Single Family Residence SFR

The permittee applied in Travis County for a basic development permit on the above described location. The application has been reviewed and it is has been determined that the construction and improvements will not be in the 100 year flood plain and elevation certificate completion is not required by Travis County.

This permit shall be posted in a location where it is visable to the public, protected from weather, and secure from vandalism and will remain posted until work is complete.

This Department recommends the finish floor slab be constructed 12 inches above the highest adjacent grade.

Notes:

Compliance with the Endangered Species Act is the responsibility of the applicant.

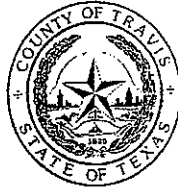
Issuance of this permit does not imply compliance with deed and/or plat restrictions.

Contact Travis County Prior to Driveway Construction.

Special Provisions:

Stacey Scheffel
Floodplain Administrator
Travis County
Transportation and Natural
Resources

The attached driveway permit constitutes only a regulatory approval by the County pursuant to 251.016, Transportation Code, and Ch 64, Travis County Code. This permit grants no property interest in the right of way and does not constitute a determination by the County that the permittee has any property interest entitling the permittee to construct improvements in the right of way.



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TRAVIS COUNTY PERMIT APPLICATION FOR DRIVEWAY IN RIGHT-OF-WAY

DATE: 7-6-03

Permit No.: 03-02288

Application is hereby made for construction within public right-of-way according to the description as follows. Construction shall conform with Chapter 82.302 (h) of the Travis County Standards for Construction of Streets and Drainage in Subdivisions (8/27/97).

1. PROPERTY INFORMATION:

Street Address: 12912 Park Dr., Austin, TX, 78732

Subdivision Name: Hughes Park Lake Subdiv. #1 Lot: 77 Block: A

Phase: 1 Section:

Survey: -OR- Acreage: Tax Parcel No.: 01524401440000

2. DRIVEWAY INFORMATION:

A. ☒ Type 1 (1 or 2 family residence) -OR- ☐ Type 2 (Commercial)

B. ☐ Culvert-Style 2 OR ☒ Dip-Style 2 OR ☐ Curb & Gutter-Style 2

C. Number of Driveways (max 2 per street): 1-SS Driveway Widths: 12-28' @ ROW-SS

3. ADDITIONAL INFORMATION REQUIRED FOR PROCESSING:

- Approximate Date of Construction: 7-15-03
- Site plan showing: property lines, proposed/existing improvements, guardrails, mailboxes, curb inlets, proposed driveways, intersecting nearby streets, and distance of driveway (s) from lot corner
- When a property does not have adequate street frontage and access is obtained by way of another property, not owned by this applicant, include a copy of the access / roadway easement that allows this access.

It is agreed that the proposed improvements shall be constructed in accordance with Travis County specifications and as shown on approved plans and specifications submitted. Construction authorized shall be subject to inspection by Travis County. The permit holder shall assume full responsibility for notification, coordination and relocation of utility facilities impacted by the proposed access. The Permit holder assumes responsibility for the integrity of any existing storm water drainage facility and will construct or be responsible for the construction of an approved storm water culvert of size and design conforming to the Travis County Standards for Construction of Streets and Drainage in Subdivisions. It is further agreed that any temporary driveway approach approved by this permit shall be replaced by a permanent Type 1 or Type 2 driveway approach under a new permit within thirty (30) days of completion of construction of the abutting street to permanent line and grade. **FOR MAINTENANCE PURPOSES, THE MINIMUM PIPE DIAMETER ALLOWED IS 18" OR A DESIGN 2 PIPE (CULVERT STYLE DRIVEWAY).**

Applicant's Signature

CITY OF AUSTIN - PROJECT PERMIT

Printed: 13 November 2003

PERMIT NO.
03016064STATUS
ACTIVETYPE
RADDRESS
12912 PARK DRDATE
13-NOV-03

SUBDIVISION Subdivision: HUGHES PARK LAKE SUBDIVISION NO.1; Lot: 77; Block: B						PERMIT CLERK DCORTINAS		
PLAT	BLOCK A	LOT 77				GRID MB33		
ZONE SF2	HT & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY NEW THREE STORY RES W/ATT COVERED PATIO				
SPECIAL PERMIT NO.	TOTAL SQ.FT. 8046	VALUATION \$415,000	TYPE CONST.	USE CAT. R3-1	GROUP	FLOORS 2	BLDG 1	UNITS
WORK PERMITTED NEW			BASEMENT N	BUILDING DIMENSIONS			MIN. STD. N	ONR N

C OWNER/CONTR. WALSH TARLTON LTD
 N BUILDING SAIKIN BUILDERS
 T ELECTRICAL
 R MECHANICAL
 A PLUMBING
 C SIDEWALK/DRIVE
 T SIGN
 O ROOF / SIDE
 R ELEC SERVICE FEE
 S PLAN CHECK FEE

PHONE	FEE	PAID DATE
266-6393		
663-7137	\$740	11/13/2003
	\$460	
	\$240	
	\$250	
ETJ FEE	TOTAL FEE \$1,690	TOTAL PAID \$740

REQUIRED
INSPECTIONS

BUILDING
MECHANICAL
ELECTRIC
PLUMBING
CONCRETE
WATER
SEWER

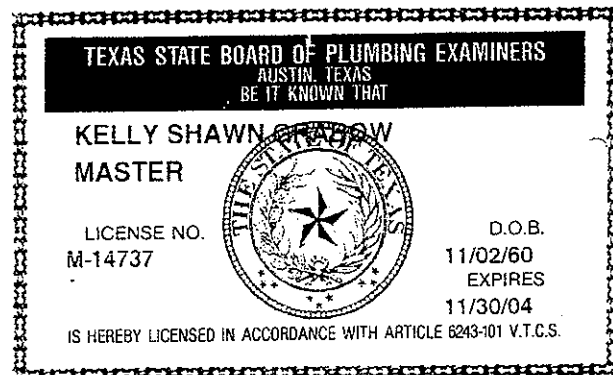
C.O. MAILING ADDRESS

5004 LAKEVIEW DRIVE

AUSTIN, TX 78732

REMARKS IC-6172' 41% BC-5702' 38%. 16' DR & COA
 SIDEWALKS MAYBE REQUIRED. NOT IN FLOOD
 PLAIN PER TODD PANKEY 11-10-2003. RESID ZON
 REV NBRIONES.

Attn:
Diana



TO SCHEDULE AN INSPECTION, CALL 480-0623.

For approval

PERMIT NO.
03016064

STATUS
ACTIVE

TYPE
R

ADDRESS
12912 PARK DR

DATE
13-NOV-03

Subdivision: HUGHES PARK LAKE SUBDIVISION NO.1; Lot: 77; Block: B						PERMIT CLERK DCORTINAS											
PLAT		BLOCK A		LOT 77		GRID MB33											
ZONE SF2		HT. & AREA		PARKING PROVD.		PROPOSED OCCUPANCY NEW THREE STORY RES W/ATT COVERED PATIO											
SPECIAL PERMIT NO.		TOTAL SQ. FT. 8046		VALUATION \$415,000		TYPE CONST.		USE. CAT. R3-1		GROUP		FLOORS 2		BLDGs 1		UNITS	
WORK PERMITTED NEW				BASEMENT N		BUILDING DIMENSIONS						MIN. STD. N		ONR N			

TYPE	DATE	STATUS	FAILURES	INSPECTOR	CODE
Layout					101
Plumbing Rough					501
Plumbing Sewer					505
Plumbing Copper					502
Plumbing Gas					504
Foundation					102
Framing					103
Insulation/Energy					601
Plumbing Top Out					503
Mechanical Rough					401
Mechanical Vent					402
Electrical Slab					301
Electric Rough					302
Wallboard					104
Sidewalk Prepour					201
Driveway Prepour					202
* Final Building					706
* Final Electric					701
* Final Mechanical					703
* Final Plumbing					702
* Final Energy					704
F Final Concrete					705
I Final Sign					707
N					
A Landscaping					
L Engineering					
* Water					
* Sewer					
* Fire					
* Health					

Admin Holds: NONE Review Date

Remarks:

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection, as required by 30 T.A.C. 29.46 (j).

FINAL DATE

TO SCHEDULE AN INSPECTION, CALL 480-0623.



City of Austin
WPDR
PIER - Building Permit - RECEIPT

Receipt #: 351768

Date: 13 NOV 2003

Company Name: SAIKIN BUILDERS

Contact Name:

Phone: 512-663-7137

Fax: --

Address

City:

ZIP: -

Issued by: DIANA CORTINAS

Payment Method: CHECK

Status: Paid

Check Number: 2677

Check Amount:

FAO-Rev.Code	Description	Quantity	Sub Total
1000-630-9100-4053	BP - Building Permit 12912 PARK DR - 03016064	1	\$740.00
1000-630-9100-4053	BP - Building Permit 12912 PARK DR - 03016065	1	\$33.00
1000-630-9100-4053	BP - Building Permit 12912 PARK DR - 03016066	1	\$33.00
			Total : \$806.00

CITY OF AUSTIN - PROJECT PERMIT

Printed: 13 November 2003

PERMIT NO.
03016066STATUS
ACTIVETYPE
RADDRESS
12912 PARK DRDATE
13-NOV-03

SUBDIVISION division: HUGHES PARK LAKE SUBDIVISION NO.1; Lot: 77; Block: B										PERMIT CLERK DCORTINAS			
PLAT		BLOCK A		LOT 77				GRID MB33					
ZONE SF2	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY NEW DETACHED GARAGE									
SPECIAL PERMIT NO.		TOTAL SQ. FT. 400		VALUATION \$10,000		TYPE CONST.		USE. CAT. M1-1		GROUP	FLOORS	BLDGs 1	UNITS
WORK PERMITTED NEW			BASEMENT N		BUILDING DIMENSIONS						MIN. STD. N	ONR N	

C O N T R A C T O R S	OWNER/CONTR.	WALSH TARLTON LTD	PHONE 266-6393	FEE	PAID DATE 11/13/2003	REQUIRED INSPECTIONS BUILDING ELECTRIC
	BUILDING	SAIKIN BUILDERS	663-7137	\$33		
	ELECTRICAL			\$34		
	MECHANICAL					
	PLUMBING					
	SIDEWALK/DRIVE					
	SIGN					
	ROOF / SIDE					
	ELEC SERVICE FEE					
	PLAN CHECK FEE					
			ETJ FEE	TOTAL FEE \$67	TOTAL PAID \$33	

C.O. MAILING ADDRESS

5004 LAKEVIEW DRIVE

AUSTIN, TX 78732

REMARKS IC-6172' 41% BC-5702' 38%. NOT IN FLOOD PLAIN
PER TODD PANKEY 11-10-2003. RESID ZON REV
NBRIONES

BY TAKING AND/OR PAYING FOR THIS PERMIT
APPLICATION, YOU ARE DECLARING YOU ARE THE
OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER
OR OWNERS TO SUBMIT THIS APPLICATION, THAT
THE GIVEN DATA ARE TRUE FACTS AND THAT THE
WORK WILL CONFORM TO THE PLANS AND
SPECIFICATIONS SUBMITTED HEREWITH:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES
AS MARKED PAID.

TO SCHEDULE AN INSPECTION, CALL 480-0623.

CITY OF AUSTIN - PROJECT PERMIT

Printed: 13 November 2003

PERMIT NO.
03016066STATUS
ACTIVETYPE
RADDRESS
12912 PARK DRDATE
13-NOV-03

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PLAT		BLOCK A		LOT 77				GRID MB33			
ZONE SF2	HT. & AREA	REQD.	PARKING PROVD.		NEW DETACHED GARAGE			PROPOSED OCCUPANCY			
SPECIAL PERMIT NO.		TOTAL SQ. FT. 400		VALUATION \$10,000		TYPE CONST.	USE. CAT. M1-1	GROUP	FLOORS	BLDGs 1	UNITS
WORK PERMITTED NEW			BASEMENT N		BUILDING DIMENSIONS					MIN. STD. N	ONR N

TYPE	DATE	STATUS	FAILURES	INSPECTOR	CODE
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Wallboard					104
Sidewalk Prepour					201
Driveway Prepour					202
* Final Building					706
* Final Electric					701
* Final Mechanical					703
* Final Plumbing					702
* Final Energy					704
F Final Concrete					705
I Final Sign					707
A Landscaping					
L Engineering					
* Water					
* Sewer					
* Fire					
* Health					

Admin Holds: NONE

Review Date

Remarks:

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection, as required by 30 T.A.C. 29.46 (j).

FINAL DATE

TO SCHEDULE AN INSPECTION, CALL 480-0623.

PERMIT NO.
03016065

STATUS
ACTIVE

TYPE
R

CITY OF AUSTIN - PROJECT PERMIT

Printed: 13 November 2003

ADDRESS
12912 PARK DR

DATE
13-NOV-03

SUBDIVISION
bdivision: HUGHES PARK LAKE SUBDIVISION NO.1; Lot: 77; Block: B

PERMIT CLERK
DCORTINAS

PLAT
BLOCK
A

77

LOT

GRID

MB33

ZONE
SF2

HT. & AREA

REQD.

PARKING
PROVD.

NEW SWIMMING POOL

PROPOSED OCCUPANCY

SPECIAL PERMIT NO.

TOTAL SQ. FT.

400

VALUATION

\$100,000

TYPE CONST.

USE. CAT.

M2-1

GROUP

FLOORS

BLDGS

1

UNITS

WORK PERMITTED

NEW

BASEMENT

N

BUILDING DIMENSIONS

MIN. STD.

N

ONR

N

OWNER/CONTR.

WALSH TARLTON LTD

BUILDING

SAIKIN BUILDERS

ELECTRICAL

MECHANICAL

PLUMBING

SIDEWALK/DRIVE

SIGN

ROOF / SIDE

ELEC SERVICE FEE

PLAN CHECK FEE

PHONE

266-6393

FEE

663-7137

PAID DATE

11/13/2003

REQUIRED
INSPECTIONS

BUILDING
ELECTRIC
PLUMBING

ETJ FEE

TOTAL FEE

TOTAL PAID

\$101

\$33

C.O. MAILING ADDRESS

5004 LAKEVIEW DR

AUSTIN, TX 78732

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PER TODD PANKEY 11-10-2003. RESID ZON REV
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THE GIVEN DATA ARE TRUE FACTS AND THAT THE
WORK WILL CONFORM TO THE PLANS AND
SPECIFICATIONS SUBMITTED HERewith:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES
AS MARKED PAID.

TO SCHEDULE AN INSPECTION, CALL 480-0623.



Lower Colorado River Authority
Post Office Box 220 Austin, Texas 78767 • (512) 473-3216

AUTHORIZATION TO OPERATE AN ON-SITE SEWAGE FACILITY
Permit #: 3707

Location: 12912 PARK, AUSTIN TX 78732

HUGHES PARK LAKE Block: Lot: 77

Owner: PURCELL, FRED A

Mailing address: 5004 LAKEVIEW DR AUSTIN TX 78732

Permit Date: 9/1/2004
Phone: (512) 266-6393

This license signifies that final approval is given and that the system is ready for use and meets guidelines adopted by the Lower Colorado River Authority (LCRA) and the Texas Commission on Environmental Quality (TCEQ). Acceptance of this license to operate the system constitutes an agreement to abide by the terms and conditions specified in the most current version of the LCRA and TCEQ regulations for on-site sewage facilities.

The LCRA's program is designed to protect the water quality of the Highland Lakes. Your commitment to meeting the requirements of the license is appreciated by everyone who uses and enjoys the Highland Lakes and the Colorado River. Thank you for your assistance in keeping the water clean.

Should you have questions regarding operation and maintenance of the system, please call me at 1-800-776-5272, extension 3216. The number printed on the license will help us answer your questions expeditiously. For your information, I have also enclosed a booklet which will better enable you to understand and care for your on-site sewage facility.

Thank you again for your concern about water quality. Remember that any time you see or suspect a problem about water quality, you may call 1-800-776-5272, extension 6843.

James Maynard, RS
Agency Official

1/10/07
Date

HOUSE

1" encroachment



LOWER COLORADO RIVER AUTHORITY
EASEMENT TO INUNDATE TO
715 CONTOUR LINE

THOMAS B. HUGHES

MAP OF SURVEY SHOWING FORMS
LOT 77, HUGHES PARK LAKE
SUBDIVISION NO. 1
TRAVIS COUNTY, TEXAS
MADE FOR
FRED PURCELL

LAKE TRAVIS

584
539

406
338

APPROXIMATE LOCATION
716 CONTOUR LINE

N 69°03'00" E
66.42'

TOP OF BLUFF

N 65°32'20" E 66.75'

FENCE CORNER
0.1' N, 0.0' W

FORMS

HUGHES PARK LAKE

PLAT BOOK 4,

SUBDIVISION NO. 1

PAGE 64

END OF FORMS

LOT 77

14,853 SQUARE FEET

LOT 76

LOT 78

ROBERT C. RALEY, ET UX

13070
2895

SURVEY NO. 73, ABSTRACT NO. 241

D.&W. R.R. CO.

HUMBOLDT LANE, L.P.
DN 2002153644

LEGEND

- CALCULATED POINT
- 1/2" STEEL PIN SET WITH CAP
- ⊙ 1/2" STEEL PIN FOUND
- ⊙ IRON PIPE FOUND AS NOTED
- CHAIN LINK FENCE
- E- OVERHEAD ELECTRIC LINE
- T- OVERHEAD TELEPHONE LINE
- C- OVERHEAD CABLE TELEVISION LINE
- (0°00'00") DENOTES RECORD BEARING
- (0.00') DENOTES RECORD DISTANCE

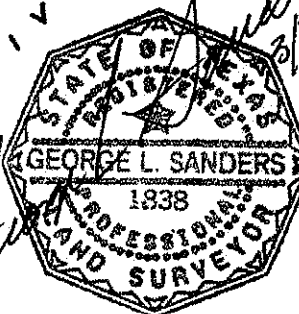
DN DOCUMENT NO. - OFFICIAL PUBLIC
RECORDS OF TRAVIS COUNTY, TEXAS

VOL
PAGE
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

SCALE 1" = 30'

SURVEY UPDATED NOVEMBER 13, 2003
SURVEY COMPLETED JUNE 17, 2002
METCALFE & SANDERS, INC.
LAND SURVEYORS

GEORGE L. SANDERS
TEXAS REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1838
4800 SOUTH CONGRESS AVE.
AUSTIN, TEXAS 78745



REF PLAN: 9846
REF PLAN: 9846A
JOB NO. 03318.01
F.B. 880 P. 41-43

PLAN 2429

METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

SURVEY CERTIFICATE

I, George L. Sanders, Texas Registered Professional Land Surveyor No. 1838 of Metcalfe & Sanders, Inc., Land Surveyors, do hereby certify to: Fred Purcell that on November 13, 2003 an on-the-ground survey of the forms for the slab of the proposed building on Lot 77, Hughes Park Lake Subdivision No. 1, City of Austin, Travis County, Texas, was made under my supervision and that the forms were not found to encroach on the five foot building set back lines.

Certified to this 15th day of December A. D. 2003.

METCALFE & SANDERS, INC.
Land Surveyors



By:

A handwritten signature in black ink, appearing to read "George L. Sanders". The signature is fluid and cursive, written over a horizontal line.

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

STEPS

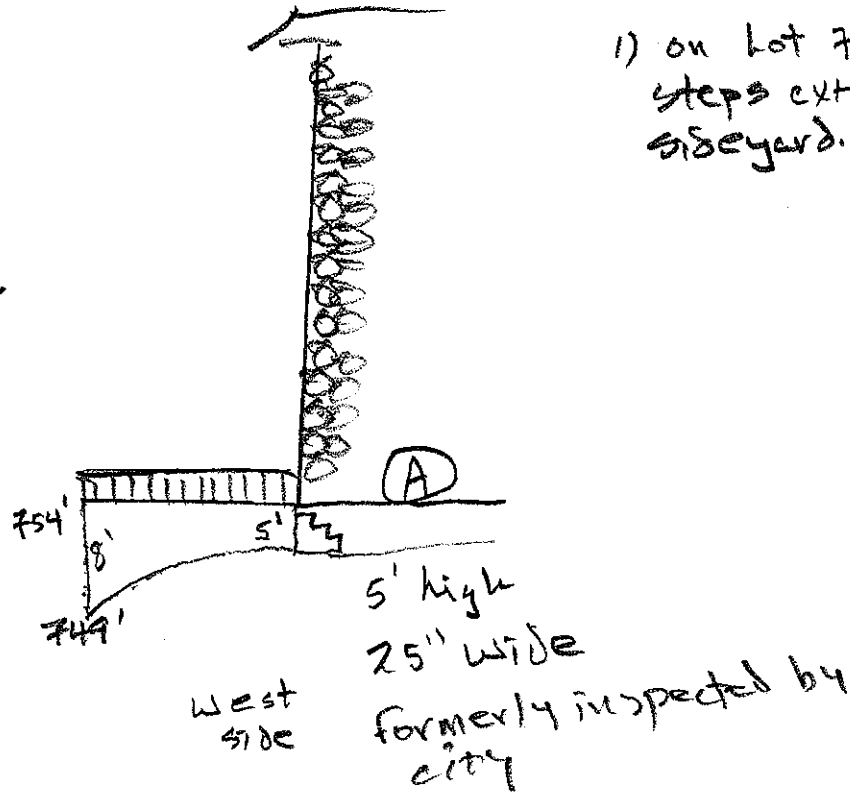
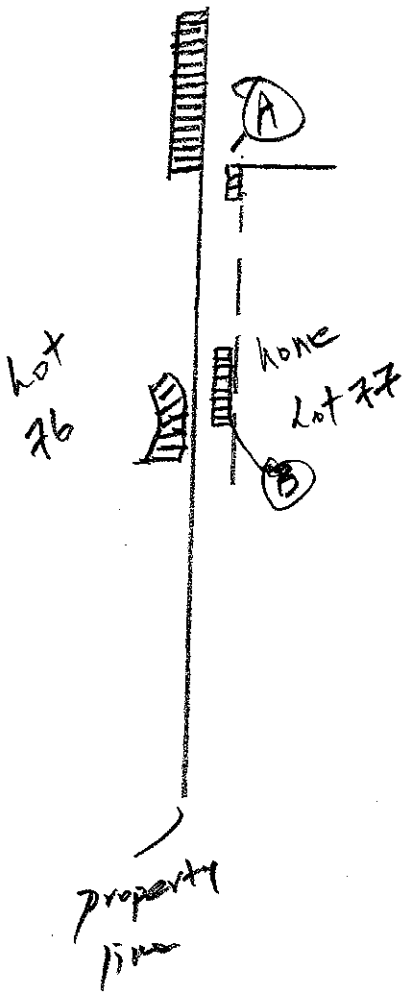
Steps:

(A) - height exceeds 3'

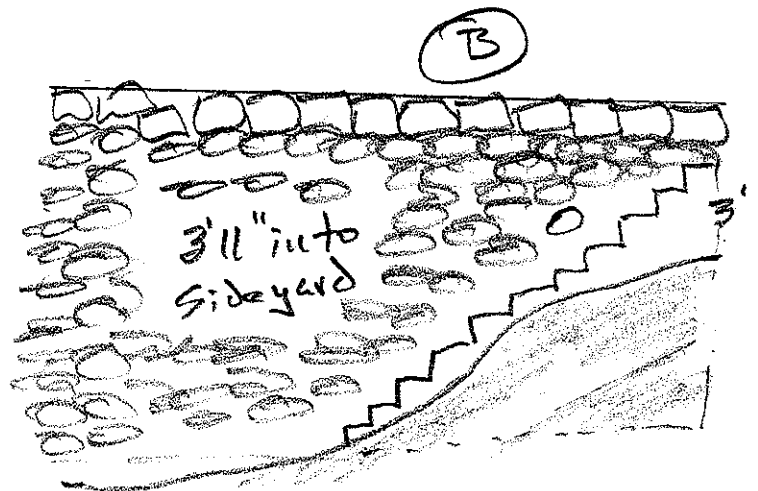
(B) - width exceeds 3'

Steps inspected 9-4-08 +
passed inspection; 2 hand rails
were required for completion.

1) on lot 76 concrete
steps extend 5' into
sidyard.

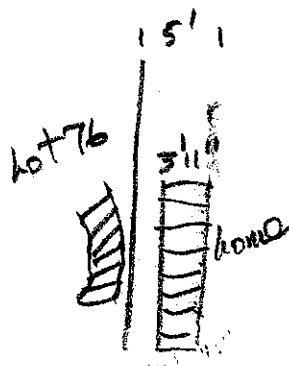


(2)



(3)

formerly inspected by City



Lot 76: Snyder
38' Long
5' into sideyard Set back



CORRECTION NOTICE



ADDRESS 12913 Park Dr
 DATE 8-4-02 TYPE INSPECTION Life Safety
 INSPECTOR 1303 PHONE 974-1852

You may check the status of your permit at:

<http://www.ci.austin.tx.us/development/pierivr.htm>

The following orders are hereby issued for their correction

- 1 Temporary Access Exhaust
- 2 Guard Rails on back Ailts at Left Side
- 3 Hand Rail @ Theater Room
- 4 Fine Caulk and Fill Floor with Gap Supply

Time of Inspection _____

PAGE _____ OF _____

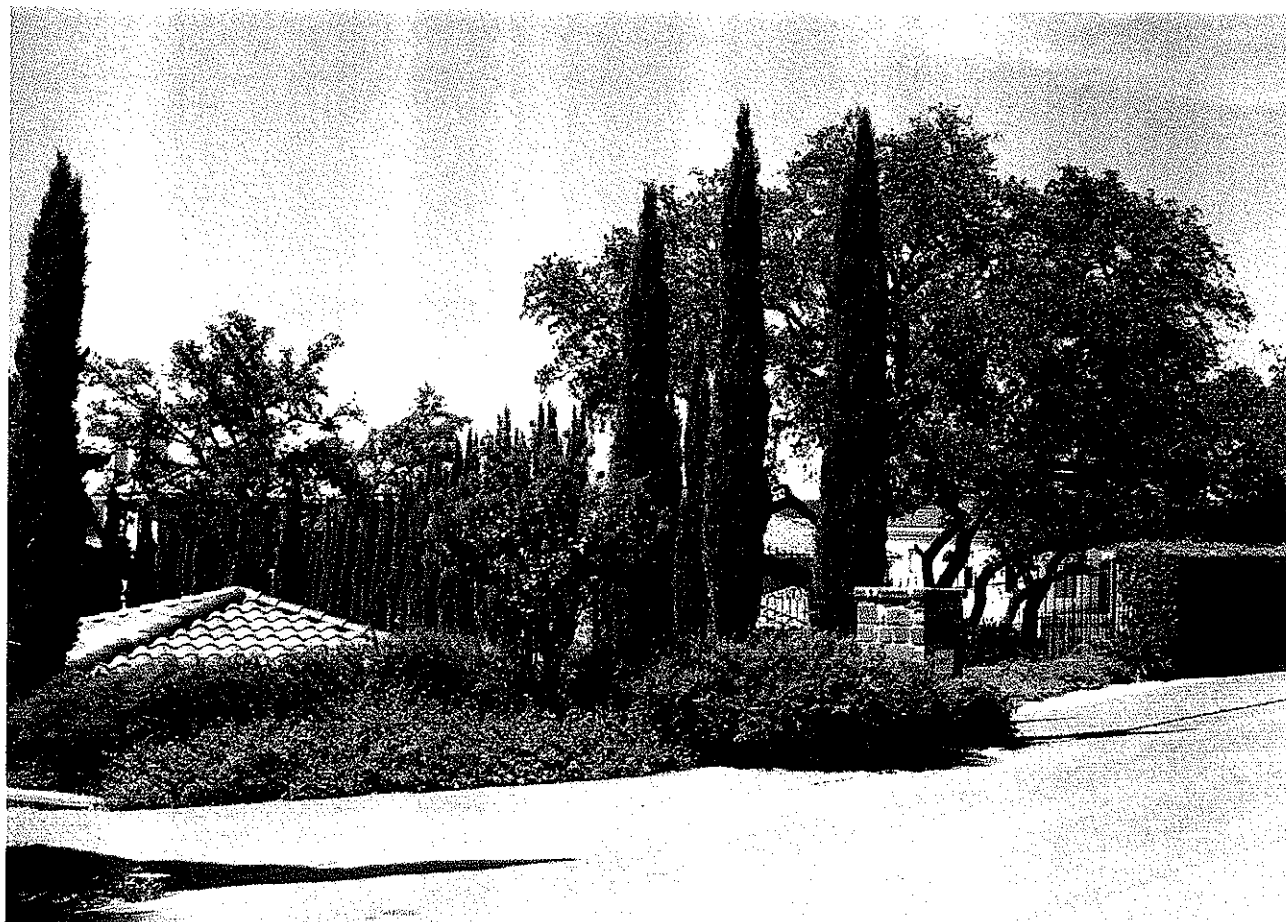
FIELD COPY

GAZEBO
CARPORT

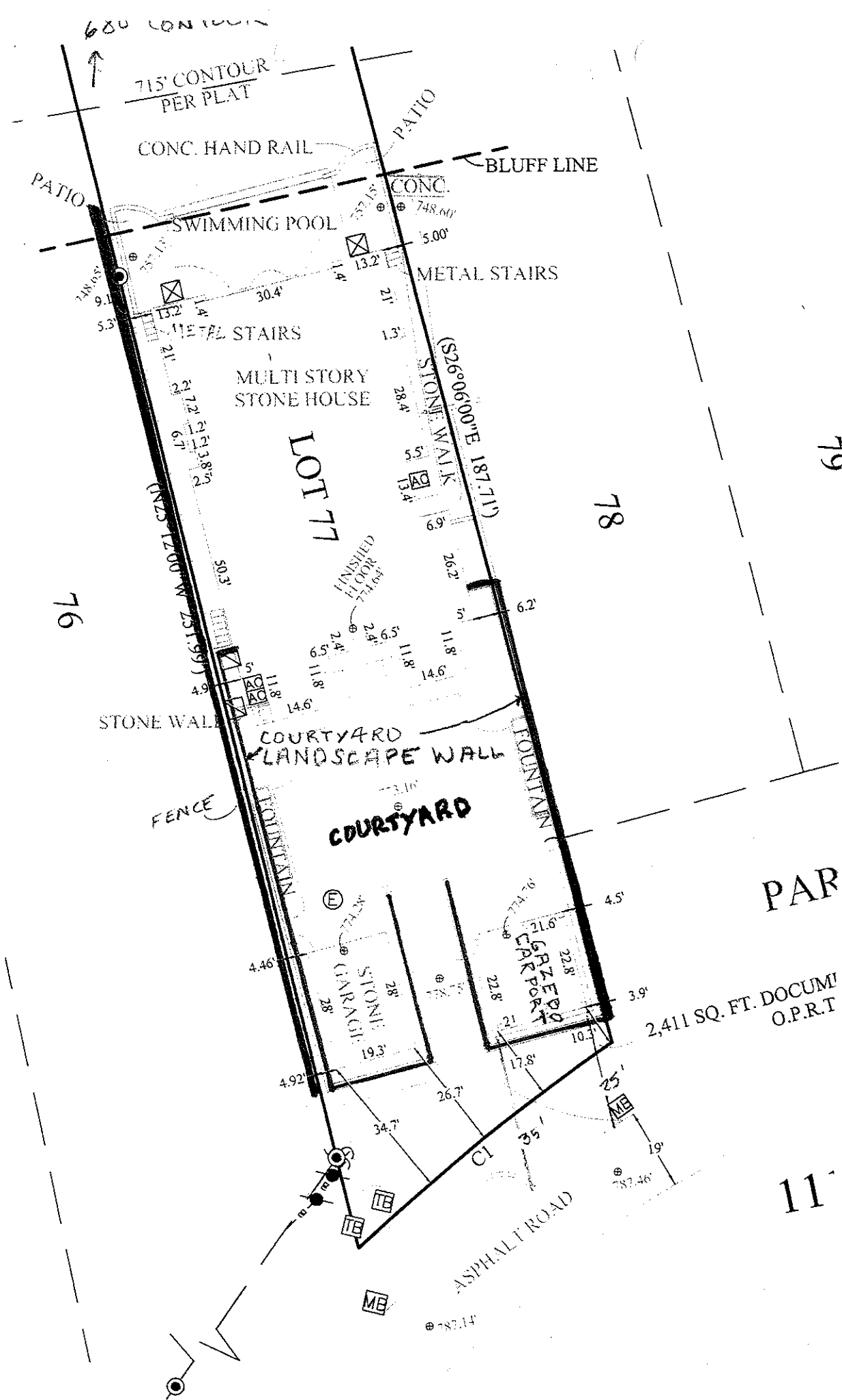
GARAGE



Garage from Street

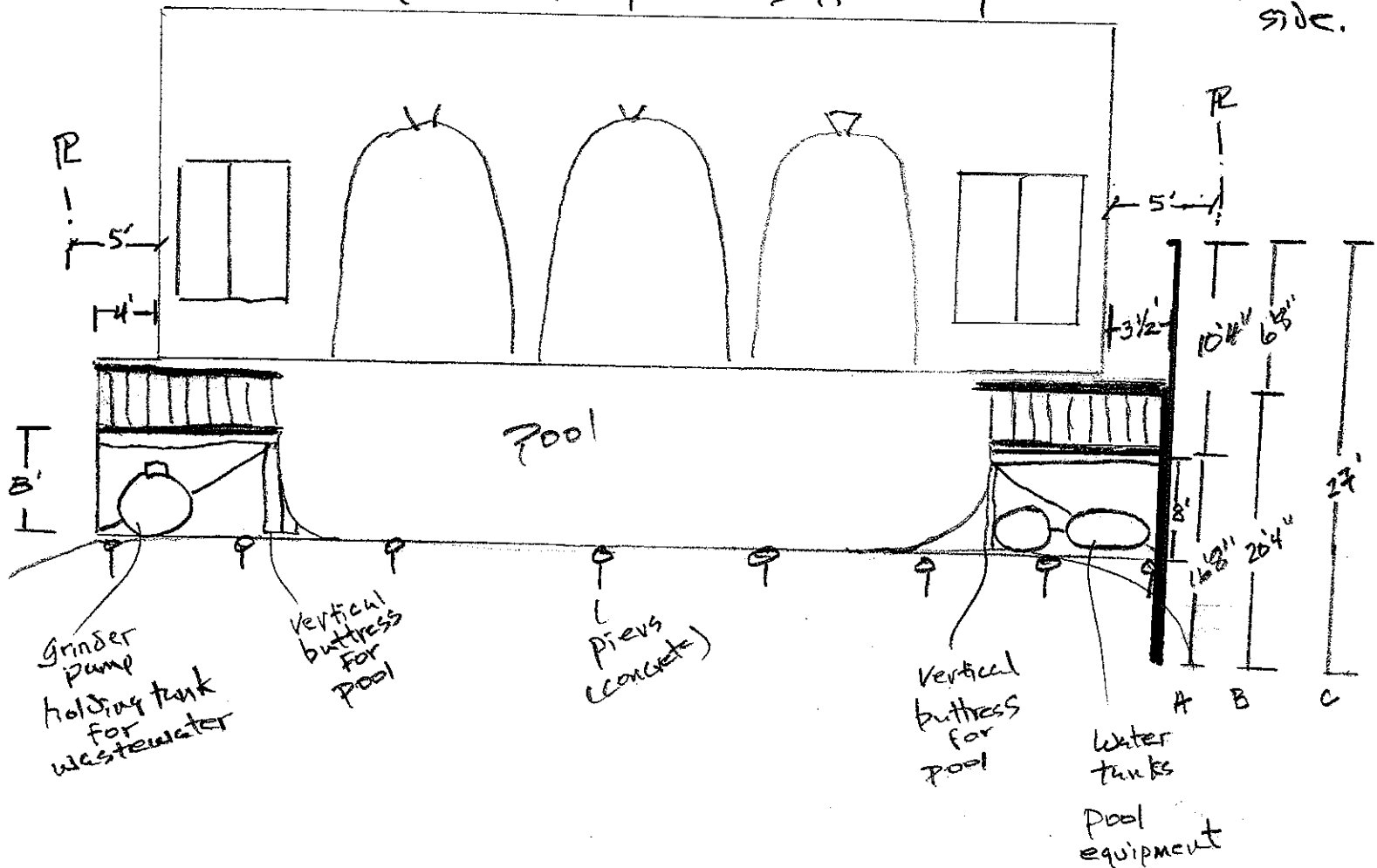


Garage/Carport from Street



DECK

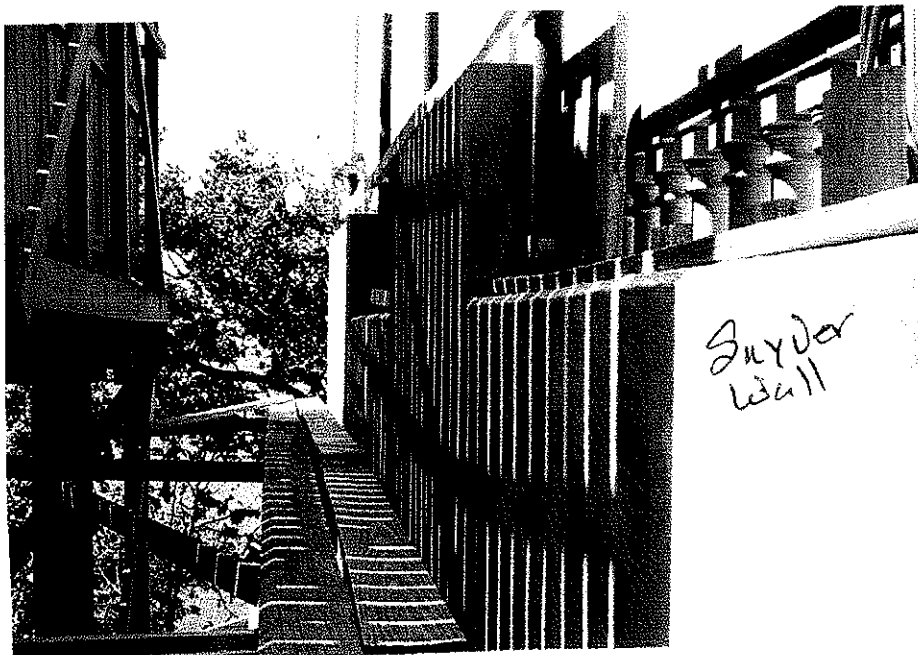
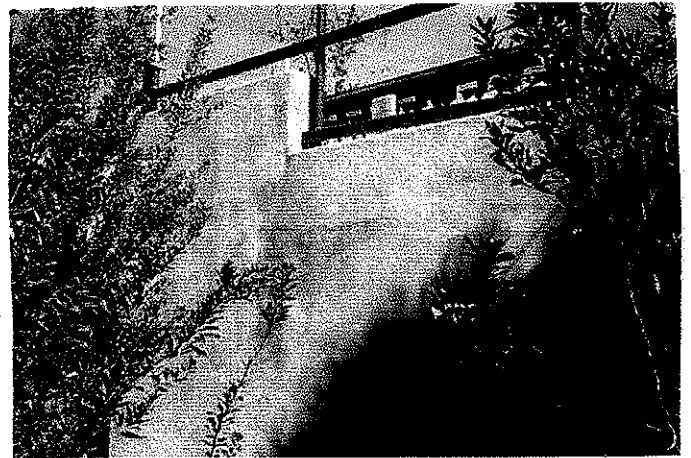
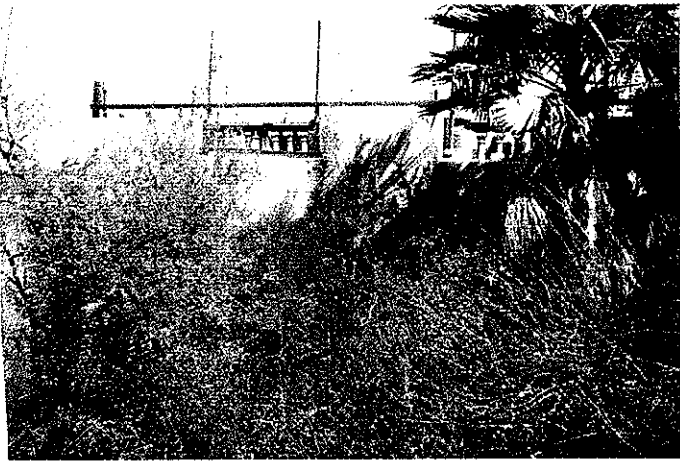
1. The deck extends into sideyard $3\frac{1}{2}$ -4'.
2. The deck is part of the landscaping/hardscape + covers pool equipment on the west side + wastewater package plant, including a grinder pump and wastewater holding tank on the east side.
3. The deck covers the structural support (vertical buttresses) for the pool, pool equipment + sewage equipment.
4. On the west the lot owner has constructed a 27' concrete, iron, wood + sheet-metal wall + fence. The concrete portion of the wall is 20'4" high, (B below); the fence/wall is 27' tall (C below); the wall and fence are 10'4" above the floor ~~level~~ level of the deck (A below). The deck is 8' above the ground.
5. The deck, pool equipment, + structural support are shielded by the concrete wall.
6. The pool, deck extend out over a bluff are supported by concrete piers. The pool is supported by buttressed on each side.





East
View
of
Deck

Deck from the East

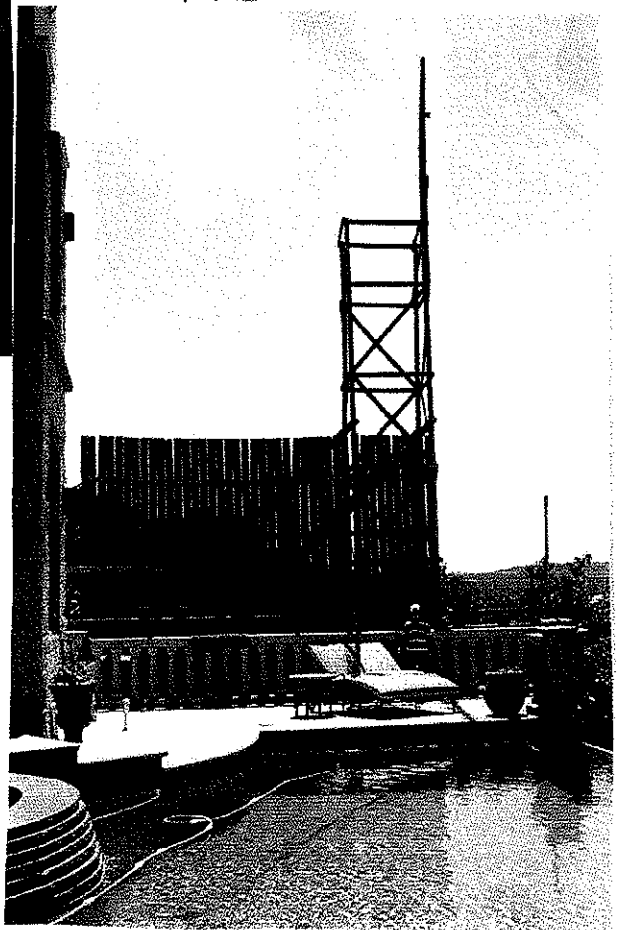
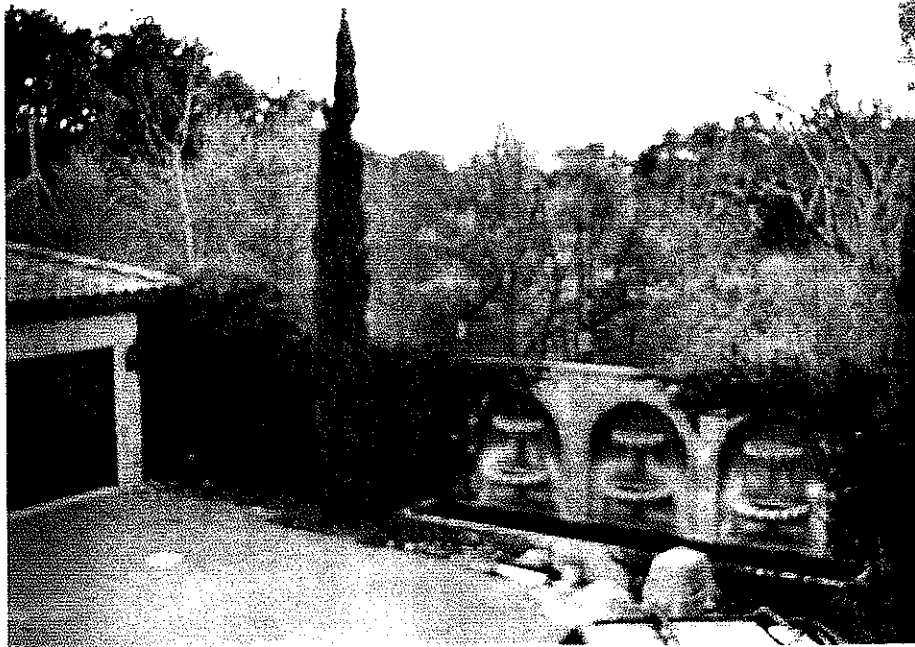
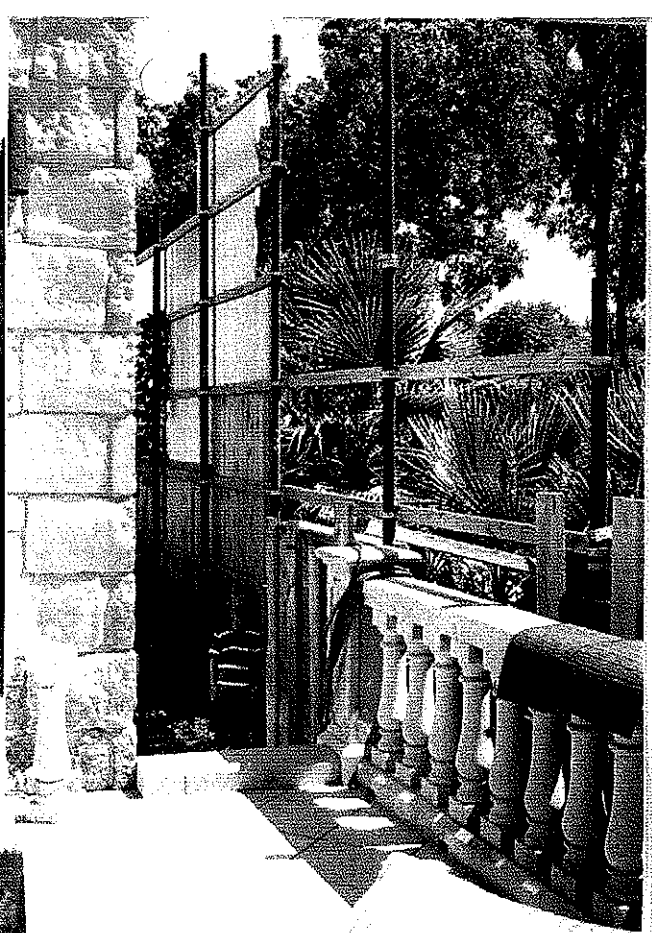
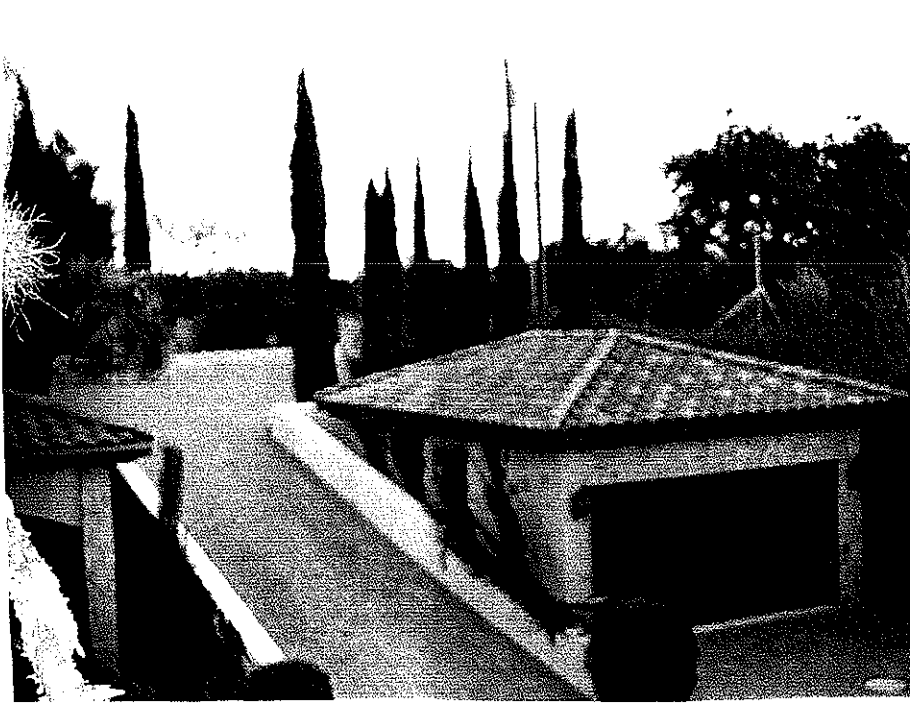


Snyder
Wall



Snyder
Fence

FENCE



lot 77
SANDY
fence

lot 77
SANDY FENCE

Snyver Wall, Lot 76
27' Tall

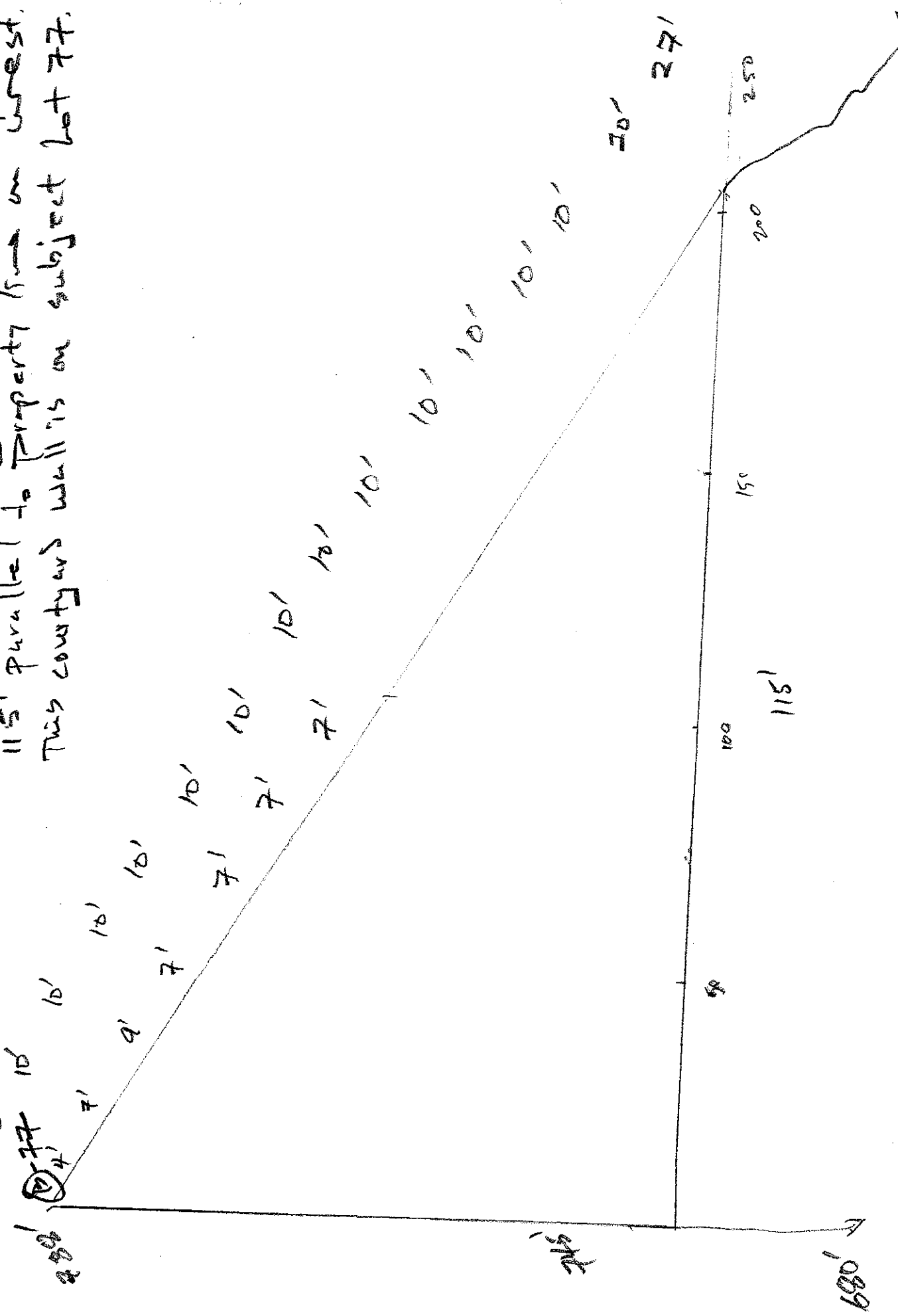


Snyder Fence, Lot 26



④

77-1



DECK

DECK

24'

751'

754' 8'

5'

749'

25'

50'

720'

sheet-metal hangers
fasteners

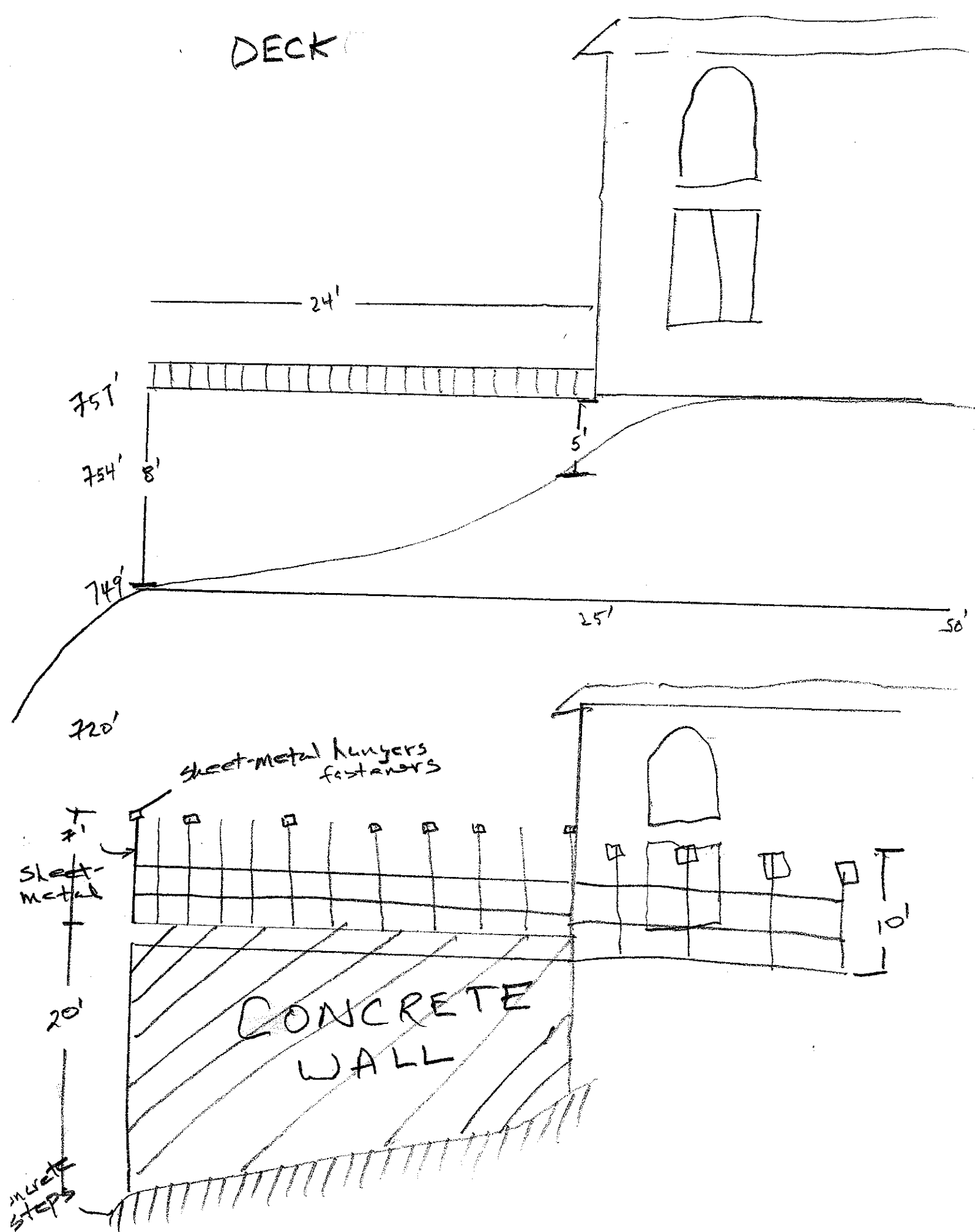
sheet-
metal

20'

CONCRETE
WALL

10'

concrete
steps



Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0134 - 12912 Park Drive

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, December 13th, 2010

JANICE S. ALLEN

Your Name (please print)

☒ I am in favor
☐ I object

12842 Park Dr., 12889, 4400111

Your address(es) affected by this application

JANICE S. ALLEN

Signature

Date

Daytime Telephone: 512 266 9911

Comments:

I am in favor.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

- 0134

Snyder presentation to BOA

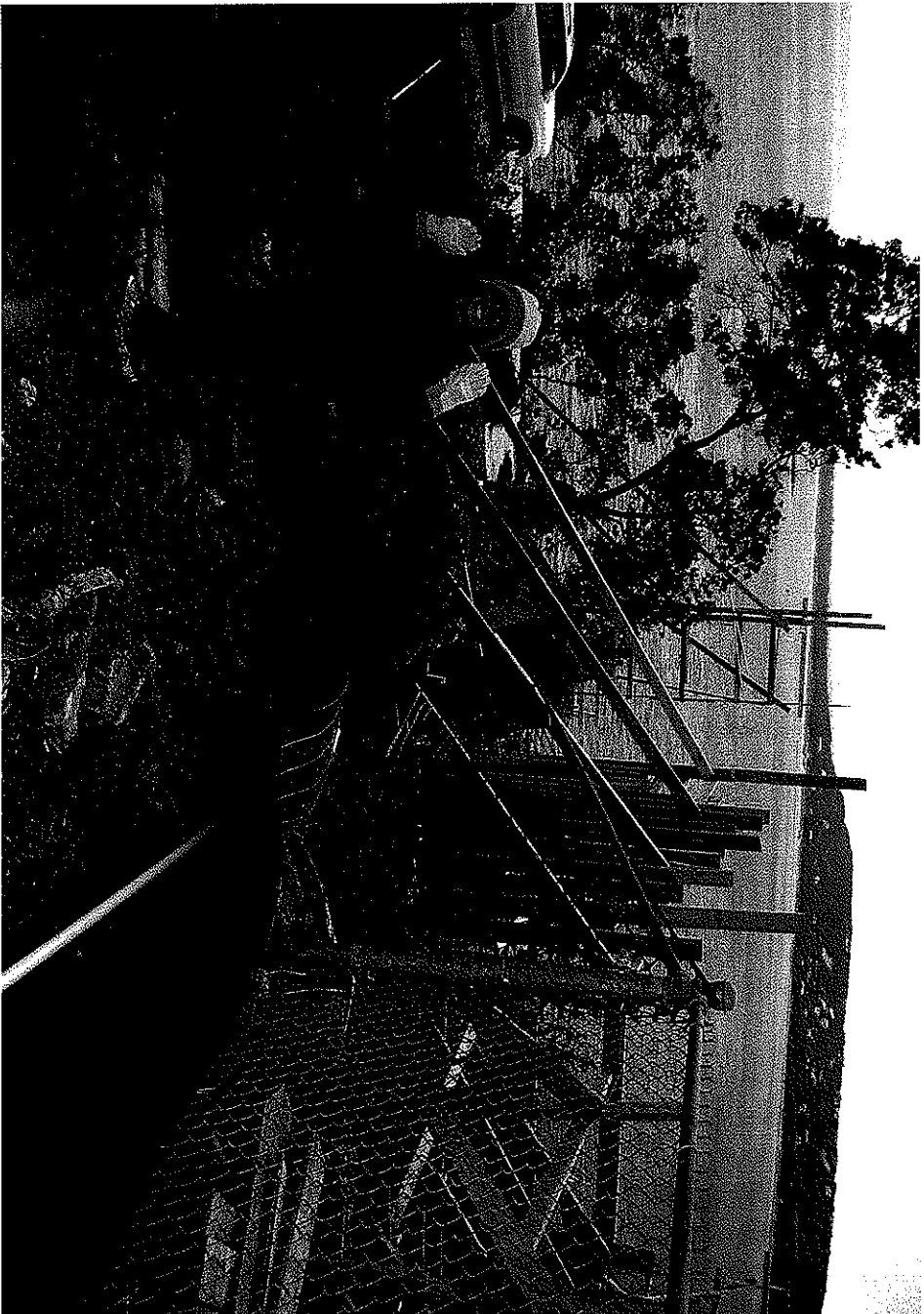
Opposed to variances requested by

Mr. Fred Purcell

12912 Park Dr.

Major Problems with Fred's Request

- 5' Setback for a reason – space between residences, access by emergency personnel, value of property with space, etc.
- Elevated Pool deck and equipment below uncovered is unsightly and dangerous
- No security or protection possible – kids can access his pool now, via our property or from his street and driveway
- Garage added in setback – next to an 15' retaining wall – both not allowed per City Code and not necessary nor a hardship for Fred (his choice and his plan all along)
- We now have all these structures right up against our property – degrades our property
- Impervious Coverage is not in compliance anymore and water runoff, erosion is a problem – impacts us directly



October 2003 – Fred's destruction of our fence

David was 5 – Now is 13. Still having to deal with this problem.



More Destruction along our property line – Oct 2003

No Permit, No permission by us to do this.....

Fred's Wall getting started - Cut and Built to 15' September 2004 – NO PERMIT



Unfinished on our side ☹️



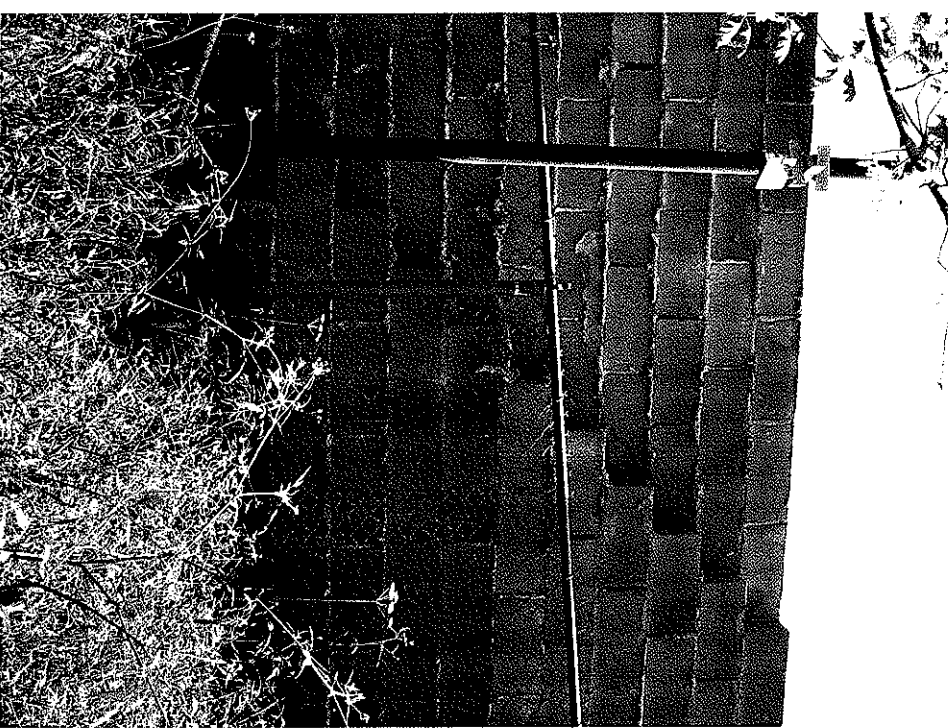
Note gas line
above ground!!!



Our side of his wall

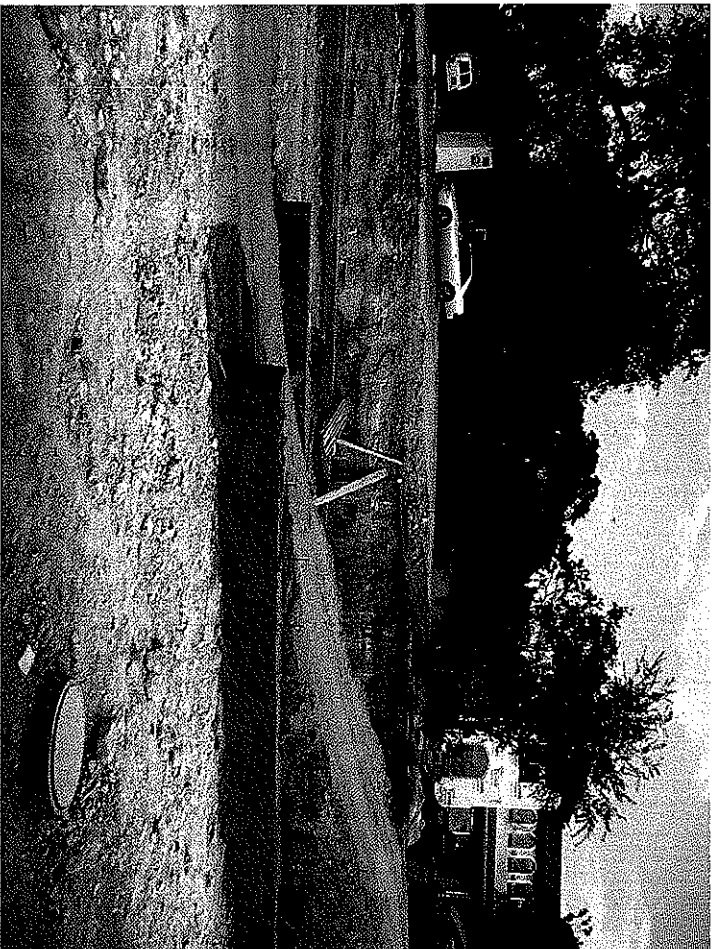


I'm 5'9" tall.



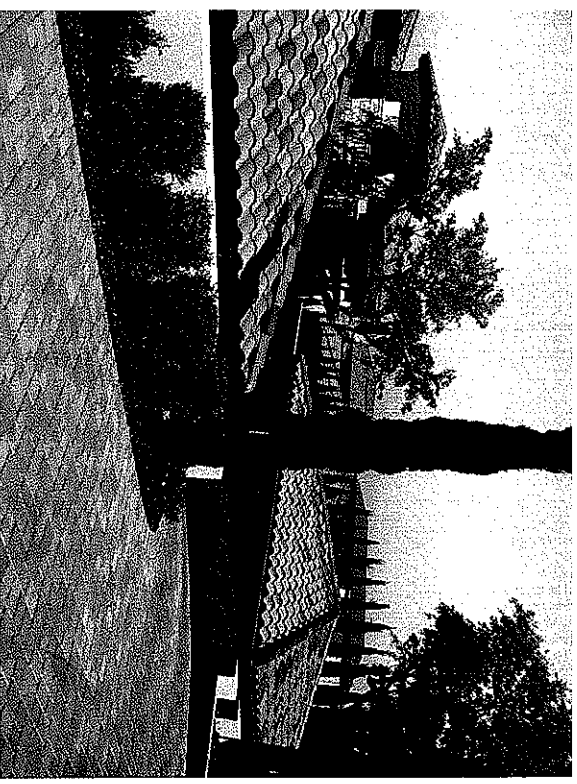
Left unfinished and jagged on purpose

Fred's two garages – before and after

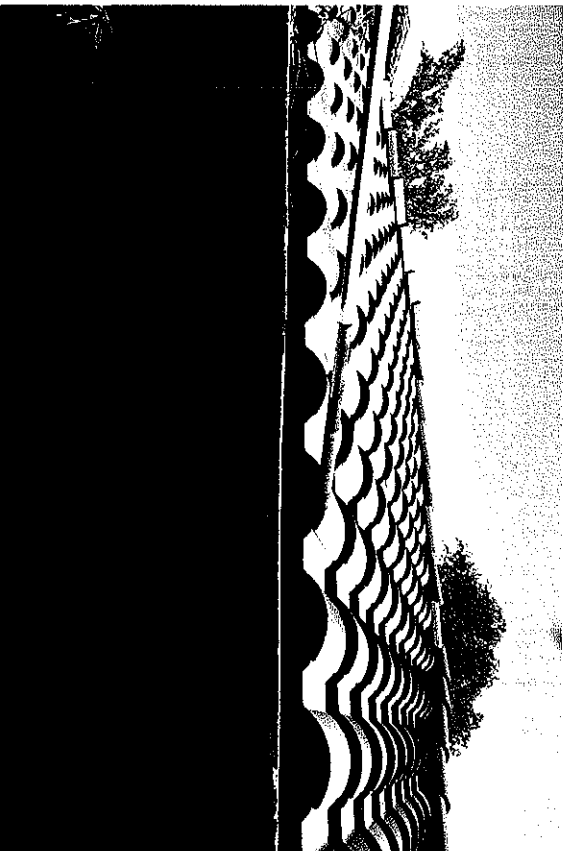


This was at 41%
impervious cover (max
45%)

Much more cover
now!! What %?



Roof of his garage



Tiles of garage roof right next to property line



Roof line in setback; view from street

View from the lake – looks very
overbuilt (four big houses side by side)



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0134 - 12912 Park Drive

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, December 13th, 2010

Signature: Mrs. William Schneider

Your Name (please print)

☐ I am in favor
☒ I object

Your address(es) affected by this application

512-71, 72 Angles Fork Area 688.1

Signature

Date

Daytime Telephone: (512) 476-4461

Comments:

I am against the proposed changes due to the fact that it would increase stress to demand changes from the existing community and all the other related problems that exist. If you need more information to help you make your decision, please contact me.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor
Susan Walker
P. O. Box 1088
Austin, TX 78767-8810

CASE # C15-2010-0134

ROW-10513041

TP-0152440144

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 12912 Park Drive

LEGAL DESCRIPTION: Subdivision – Hughes Park Lake, Sub. # 1

Lot(s) 77 Block A Outlot _____ Division _____

I Jim Bennett as authorized agent for Fred Purcell

_____ affirm that on 9/27, 2010, hereby apply for a hearing before the

Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

(west)
✓ A garage providing a side yard setback of 4.46 ft.; a swimming pool deck providing side
yard setbacks of 0 ft; a carport providing a front street setback of 10.3ft and a side yard
(east) setback of 3.9 ft; a wall (fence) height of 8ft. 6 ; and providing a side yard of 4.9 feet for
the residence.
(west)
in a SF-2 district. east & west
(zoning district) (west)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The improvements are complete and in most cases the amount of variances are minimal caused by the topography, terrain and the shape of the frontage of the lot.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

The extreme topographic conditions of the site The site slopes approximately 70 ft. from the front of the lot to the rear. The sharp angle of the front property line. The sever drop at the front property line and the relocation of the street

- (b) The hardship is not general to the area in which the property is located because:

This site is developed and the flat surface portion of this lot is where the house is constructed. The street was not relocated in the front of other lots in the area.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Due to the topography of the site the roof of the carport structure is almost non-visiable from off the property, as is the garage and other encroachment Due to the courtyard walls and walls on adjoining properties the minimal amount of variances the variances would have little or no affect on the character of the area.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Jim Bennett Mail Address 11505 Ridge Dr. Austin, TX
City, State & Zip Austin, TX 78748

Printed Jim Bennett Phone 282-3029 Date 3/26/09

OWNERS CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Fred Purcell Mail Address 12912 Rte D.V.
City, State & Zip Austin, TX 78732

Printed Fred Purcell Phone 784-4920 Date 3-23-09

City MSJ

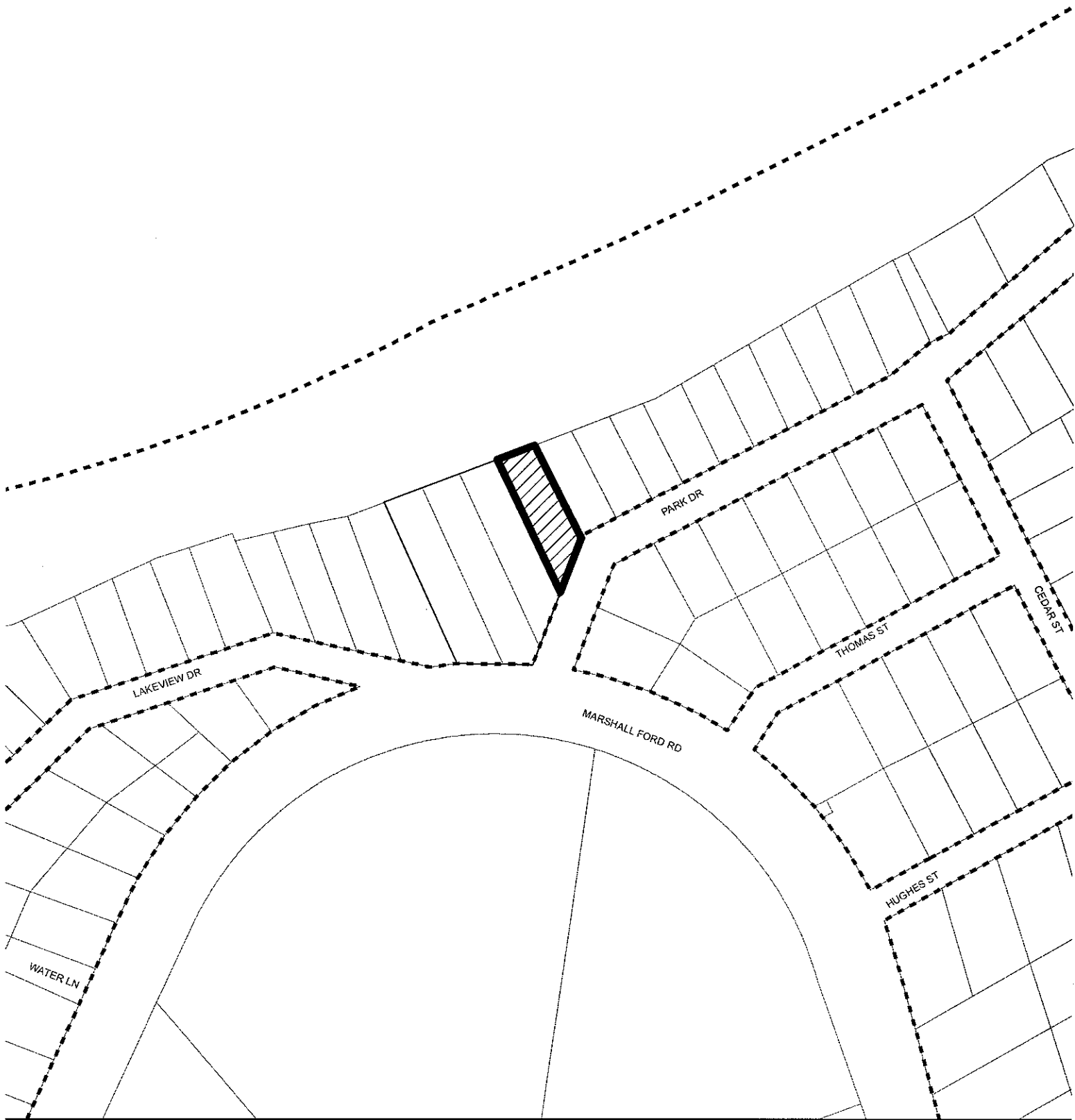
EX B - the bill file for the enactment of new legislation in 2003, Sec 211.016, which was added to Subchapter A, Ch. 211, Local Gov Code by HB 1207; applicability of the new law is addressed in SECTION 2.3:

(a) This act takes effect Sept 1, 2003.

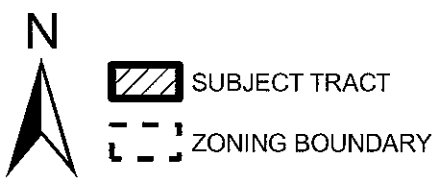
(b) The change in law made by the Act applies only to a resid. subdiv plat approved by a municipality on or after the effective date of this act. A residential subdiv plat approved by a municipality before the effective date of this act is governed by the law in effect when the plat was approved, and the former law is continued in effect for that purpose.

Permits expired
1) driveway pad
2) garage
3) ~~to~~ none for carport

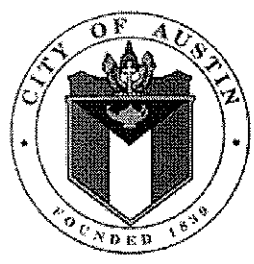
no permit for
1) deck
2) carport
3) well



BOARD OF ADJUSTMENTS



CASE#: C15-2010-0134
LOCATION: 12912 PARK DR
GRID: B33
MANAGER: SUSAN WALKER



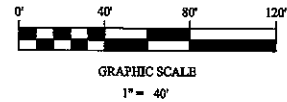
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

EXHIBIT

PURCELL PROPERTY

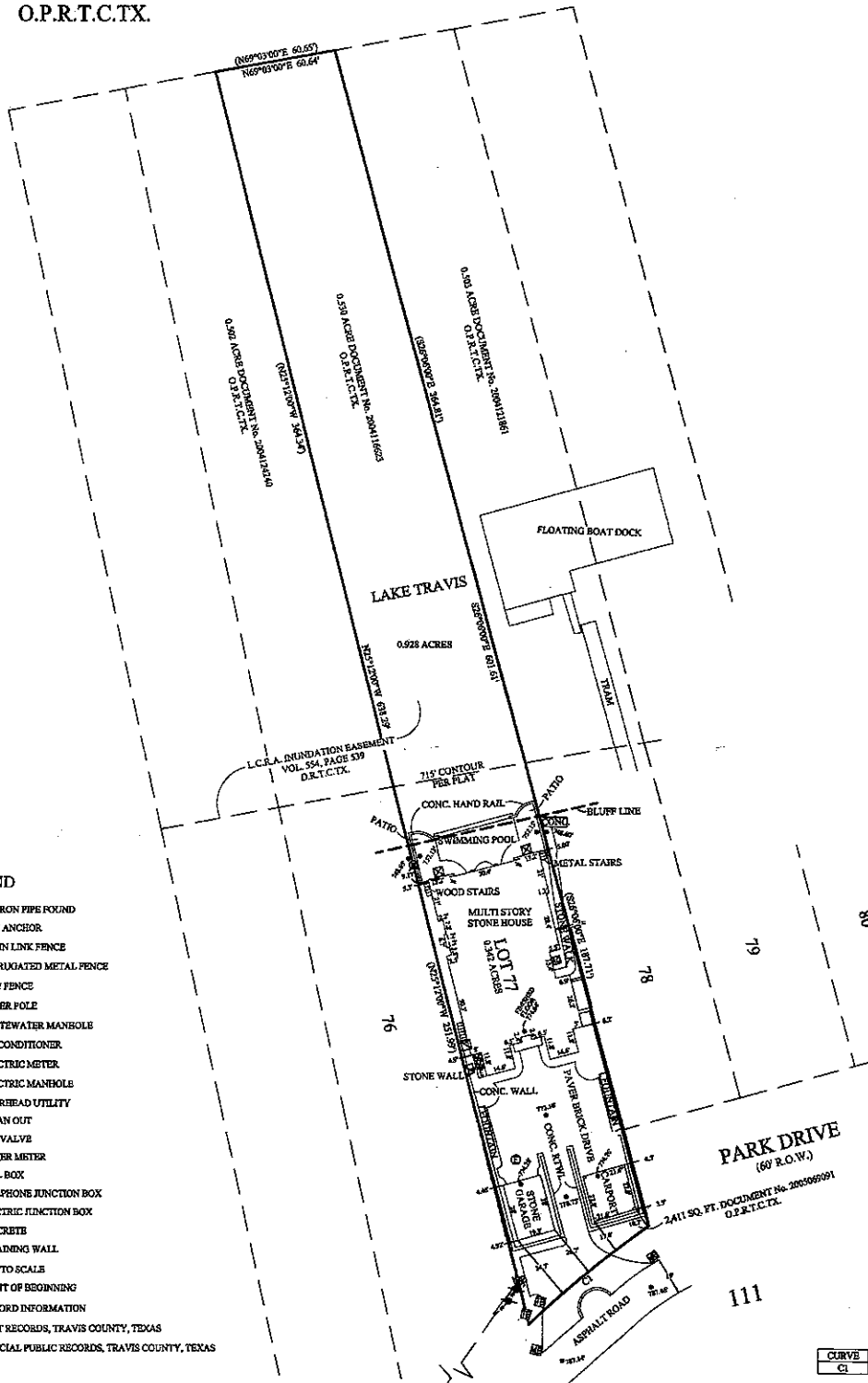
LOT 77 HUGHES PARK SUBDIVISION No.1
VOLUME 4, PAGE 64 P.R.T.C.T.X.
0.530 ACRE, DOC. No. 2004116623
2,411 SQ. FT. DOC. No. 2005069091
O.P.R.T.C.T.X.

DALLAS & WICHITA R.R. Co.
SURVEY NO. 73, ABSTRACT No. 241
TRAVIS COUNTY, TEXAS
SEPTEMBER 2010



LEGEND

- 3/4" IRON PIPE FOUND
- GUY ANCHOR
- CHAIN LINK FENCE
- CORRUGATED METAL FENCE
- IRON FENCE
- POWER POLE
- WASTEWATER MANHOLE
- AIR-CONDITIONER
- ELECTRIC METER
- ELECTRIC MANHOLE
- OVERHEAD UTILITY
- CLEAN OUT
- GAS VALVE
- WATER METER
- MAIL BOX
- TELEPHONE JUNCTION BOX
- ELECTRIC JUNCTION BOX
- CONC. CONCRETE
- RTWL. RETAINING WALL
- N.T.S. NOT TO SCALE
- P.O.B. POINT OF BEGINNING
- () RECORD INFORMATION
- P.R.T.C.T.X. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T.X. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS



BEARING BASE: TWO 3/4" IRON PIPES FOUND ON THE COMMON LINE OF LOT 76 AND 77, FIELD CALLED BEARING OF N 25° 12' W

I, JOHN C. NIELSEN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS EXHIBIT WAS PREPARED FROM AN ON THE GROUND SURVEY OF THE PROPERTY SHOWN HEREON DURING NOVEMBER 2007 AND SEPTEMBER 2010, UNDER MY DIRECTION AND SUPERVISION.



John C. Nielsen
JOHN C. NIELSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5541 STATE OF TEXAS

LINE	BEARING	DISTANCE
11	S24°09'00"W	51.15'

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	535.00'	77.07'	77.07'	N46°02'14"E	08°12'13"

Delta Survey Group Inc.
8213 Brodie Lane Ste. 102 Austin, TX. 78745
office: (512) 282-5200 fax: (512) 282-5230
WWW.DELTASURVEYGROUP.COM

QUAD MANSFIELD
PROJECT LOT 77 PARK DRIVE
DWG. EXHIBIT

ALL POINTS CALCULATED UNLESS OTHERWISE NOTED